

THE HONORABLE THOMAS S. ZILLY

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

tinyBuild LLC,  
Plaintiff/Counterclaim Defendant,  
v.  
Nival International Limited,  
Defendant/Counterclaim Plaintiff  
and  
Sergey Orlovskiy,  
Defendant.

Case No.: 19-cv-00805-TSZ

**Joint Motion to Continue All Dates**

NOTE ON THE MOTION  
CALENDAR: May 26, 2020

tinyBuild LLC and Nival International Limited jointly move this honorable court for an order continuing all dates in his case, including trial, by at least ninety (90) days in light of the ongoing COVID-19 pandemic, which has made it difficult for the parties to continue discovery. Namely, though tinyBuild LLC and Nival

International Limited<sup>1</sup> have completed voluminous written discovery, including by propounding and responding to interrogatories, requests for admission, and requests for production of documents, discovery in this case has been stalled by reason of the pandemic, which makes travelling for and sitting for depositions dangerous to the health of the attorneys, parties, witnesses, and court reporters.

Accordingly, tinyBuild LLC and Nival International Limited hereby request that the Court continue all dates in this case, including the trial date, by at least 90 days, and set the following schedule or such schedule as the court may set in its discretion:

**JURY TRIAL DATE** **January 4, 2021**

All motions related to discovery must be filed and noted on the motion calendar no later than the third Friday thereafter (see LCR 7(d)) July 23, 2020

Discovery completed by August 31, 2020

All dispositive motions must be filed by and noted on the motion calendar no later than the fourth Friday thereafter (see LCR 7(d)) October 1, 2020

All motions related to expert witnesses (e.g. a Daubert motion) must be filed no later than the third Friday thereafter (see LCR 7(d)) October 8, 2020

All motions in limine should be filed by and noted on the motion calendar no later than the Friday before the Pretrial Conference (see LCR 7(d)(4)) November 19, 2020

Agreed Pretrial order due December 18, 2020

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<sup>1</sup> Sergey Orlovskiy has not yet been served and has not yet appeared in this case. Accordingly, there may yet also be further discovery that may arise after his appearance.

1 Trial Briefs, proposed voir dire questions, and December 18, 2020  
2 jury instructions due

3 Pretrial conference to be held at 1:30 PM on December 28, 2020

4 tinyBuild LLC and Nival International Limited and submit that this request  
5 to continue dates is not as a result of any delay by the parties or that any parties  
6 will be unduly prejudiced as a result of the continuance. This motion is made on  
7 the sole basis of the ongoing global pandemic.

8  
9 DATED this 26<sup>th</sup> day of May 2020,  
10

11 Respectfully submitted,  
12

13 Nival International Limited,  
14 By its Attorneys,

15 /s/ Matthew Shayefar, Esq.  
16 Matthew Shayefar, Esq. (*pro hac vice*)  
17 Boston Law Group, PC  
18 925 N La Brea Ave  
19 West Hollywood, California 90038  
Tel: 617-928-1806  
Email: matt@bostonlawgroup.com

20 tinyBuild LLC,  
21 By its Attorney,

22  
23 By s/ Diana Siri Breaux  
24 Diana Siri Breaux, WSBA #46112  
25 Hathaway Burden, WSBA #52970  
26 Summit Law Group, PLLC  
315 Fifth Ave. S., Ste. 1000  
Seattle, Washington 98104-2682  
Tel. (206) 676-7000

Email: dianab@summitlaw.com  
Email: hathawayb@summitlaw.com

It is so ordered.

DATED this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

\_\_\_\_\_  
HON. THOMAS S. ZILLY  
U.S. DISTRICT COURT JUDGE

Presented by:

BOSTON LAW GROUP, PC

By: /s/ Matthew Shayefar  
Matthew Shayefar, Esq. (*pro hac vice*)  
*Attorneys for Defendant Nival International Limited*

SUMMIT LAW GROUP, PLLC

By s/Diana S. Breaux  
Diana S. Breaux, WSBA #46112  
*Attorneys for Plaintiff tinyBuild LLC*

**Certificate of Service**

I hereby certify on the date indicated below, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all parties who have appeared in this matter.

Dated: May 26, 2020 /s/ Philip P. Mann